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April 2, 1999

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Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, Maryland 20852

Re: Docket # 98N-1038, "Irradiation in the Production,
Processing, and Handling of Food"

To whom it may concern:

I am writing to most strongly voice my opinion that the FDA should retain the current labeling law, the current terminology of "treated with radiation" or "treated by irradiation," and the use of the radura symbol on all irradiated whole foods.

Regarding the issue of labeling, the FDA concluded in its initial petition that irradiation was a "material fact" about the processing of a food, and thus should be disclosed. The material fact remains; therefore, labeling should remain. Consumer acceptability, storage qualities and nutrients are affected. Some irradiated foods have different texture and spoilage characteristics than untreated foods. Most fruits and vegetables have nutrient losses that are not obvious or expected by the consumer.

In addition, processing by irradiation causes chemical changes that are not evident and are potentially hazardous. Meat may have a higher level of carcinogenic benzene. All irradiated foods contain unique radiolytic products that have never been tested.

So whether or not the FDA has approved irradiation as safe, it remains a new technology with no long-term human feeding studies. Consumers certainly have a right to know if this process has been used on their food.

As to the kind of label used, I believe that label should be large enough to be readily visible to the consumer, on the front of the package. The label contains important information regarding the processing of the contents. In this regard, I support the recommendation by the Center for Science in the Public Interest regarding labeling of irradiated foods which is:

"any foods treated by irradiation, or any foods containing ingredients that have been treated by irradiation, should be labeled with a written statement on the principal display panel indicating such treatment. The statement should be easy to read and placed in close proximity to the name of the food and accompanied by the international symbol. If the food has been unpackaged, this information should be clearly displayed on a poster in plain view and adjacent to where the product is displayed for sale."

Like other labels, irradiation labels are required by FDA to be truthful and not misleading. I believe that the terms "treated with radiation" or "treated by irradiation" should be retained. Any phrase involving the word "pasteurization" is misleading because pasteurization is an entirely

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different process of rapid heating and cooling. For displayed whole foods such as produce, a prominent informational display similar to that used for meats should be used (but containing the term "irradiation" and the radura).

I recognize the radura as information regarding a material fact of food processing. The requirement for irradiation disclosure (both label and radura) should not expire at any time in the future. The material fact of processing remains. Even if some consumers become familiar with the radura, new consumers (e.g., young people and immigrants) will not be. The symbol should be clearly understandable at the point of purchase for every one. If there is no label, consumers will be misled into believing the food has not been irradiated.

In summary, let me say that: (1) the FDA recognizes that irradiation is a "material fact" of food processing and should be disclosed, (2) irradiation of food is a new technology and the effects of its widespread use on public health are not yet known, and (3) consumers have a right to know about irradiation in order to be able to make informed choices. I therefore strongly believe that the FDA's labeling requirement should not be permitted to expire now or at any future time. As a farmer who markets directly to consumers, I know how important trust is in getting and keeping customers. They want to know what how their food is raised and what is or is not in it. A continuing requirement for labeling irradiated food is fair to both consumers and responsible producers. I should not be penalized by being lumped together with food processors who are looking for what they believe is a cheap, quick fix to their poor slaughterhouse or food handling procedures. If they won't use good procedures, they can just continue to be saddled with the labeling requirement. As you may be able to tell, I feel very strongly about this issue.

I would also urge you to highlight this issue to the public in order to encourage public comment. FDA appears to be deliberately underplaying the issue. If that is not true, it needs to prove it. One way to help show its good intent would be to place the comments received about this issue on the Internet so that the public can be informed about whom is participating in this comment process.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. Wahler".

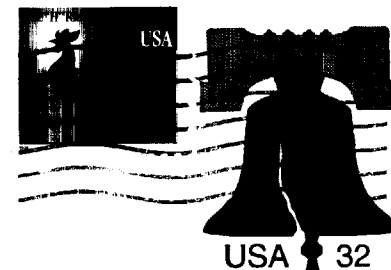
Michael A. Wahler

Cc:

Senator Arlen Specter

Congressman Bud Shuster

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